
Public Notice

Applicant: Design Construction Services, Inc. **Date:** Published: March 11, 2002
Expires: April 9, 2002

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 2002-00059(0) Section: OH 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Design Construction Services, Inc., 571 E. Turkeyfoot Road, Akron, Ohio 44319, has requested a Department of the Army permit to fill approximately 0.77 acre of wetlands; relocate approximately 250 linear feet of an unnamed tributary to Mud Brook and then culvert 105 linear feet of the relocated section; and fill approximately 785 linear feet of intermittent streams during the construction of a residential subdivision called North Point at Hunters' Crossing.

The project is located south of Cochran Road and west of State Road, in the City of Cuyahoga Falls, Summit County, Ohio.

The 32-acre site contains 6 wetlands totaling 3.17 acres, approximately 785 linear feet of intermittent tributaries, and 1150 linear feet of an unnamed tributary to Mud Creek. The amended wetland delineation was verified on January 8, 2002. Approximately 0.77 acre of wetlands (Wetlands B, E, G, and H) is adjacent to or contiguous with a tributary system to Mud Brook and are therefore subject to regulation by the Department of the Army.

As mitigation for the federal wetland impacts, the applicant proposes to purchase 1.13 acres of credit at the Carlisle Reserve (North Coast Regional Mitigation Bank) and 0.4 acre of credit at the Three Eagles Wetland Mitigation Bank. As mitigation for the stream impacts, the applicant proposes to restore or enhance a total of approximately 740 linear feet of the unnamed tributary to Mud Brook and approximately 100 linear feet of Mud Brook.

The proposed off-site bridge crossing of Mud Brook which will provide access to the site does not include the placement of dredged or fill material below ordinary high water and therefore is not subject to Department of the Army regulation.

The stated purpose of the project is to construct a condominium complex, perform landscaping, and install utility lines, roadways, and parking lots.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Elizabeth W. Stone, who can be contacted by calling (716) 879-4363, or by e-mail at: Elizabeth.W.Stone@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Elizabeth W. Stone, or by e-mail at: Elizabeth.W.Stone@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

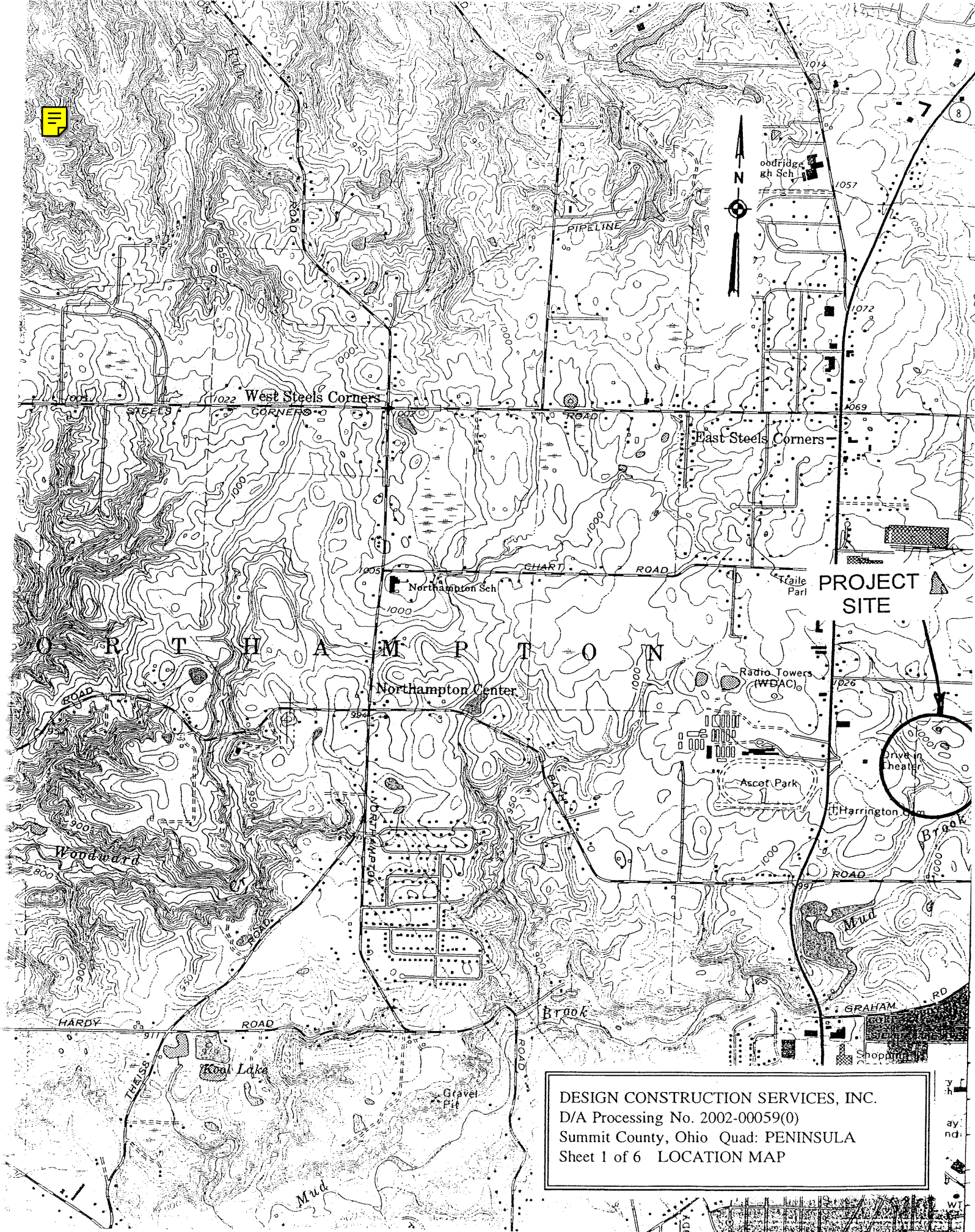
Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

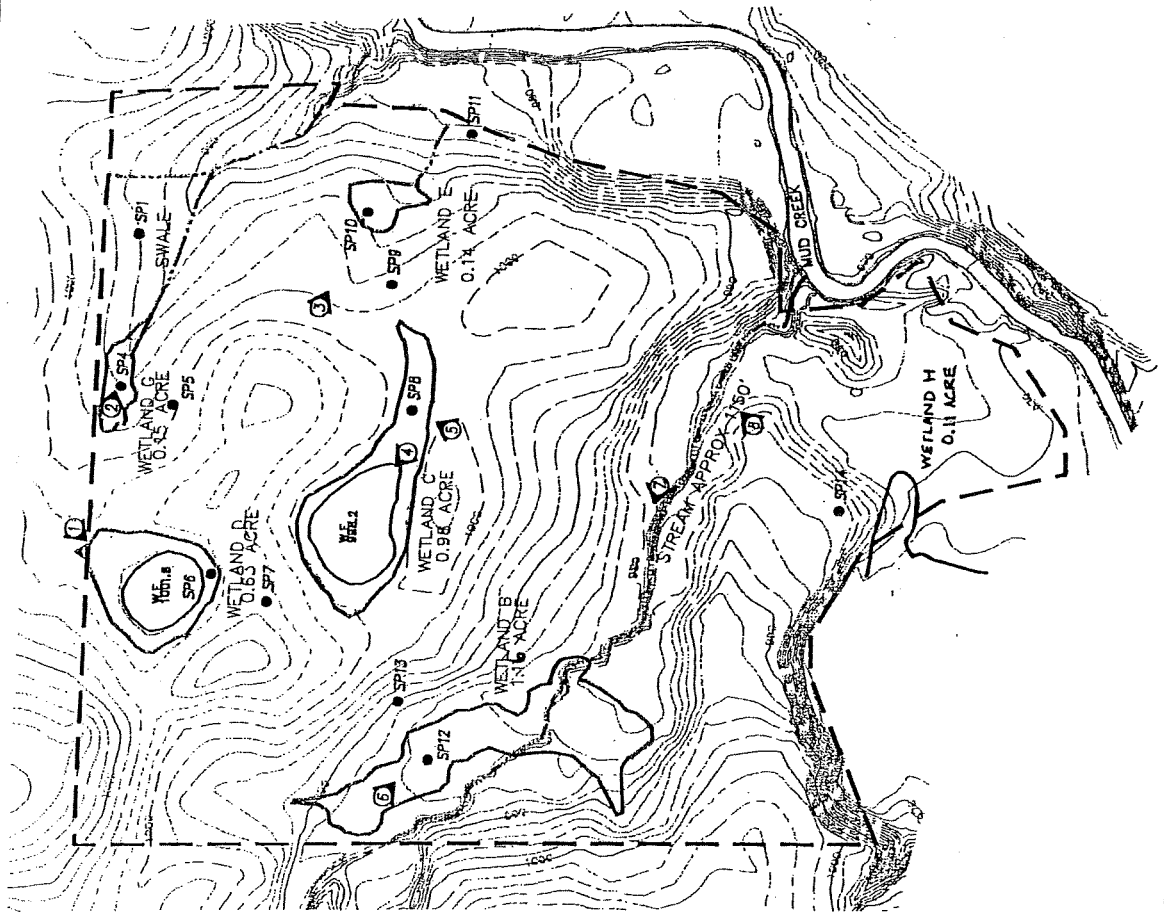
Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



DESIGN CONSTRUCTION SERVICES, INC.
D/A Processing No. 2002-00059(0)
Summit County, Ohio Quad: PENINSULA
Sheet 2 of 6 WETLAND DELINEATION

Dec. 11, 2001

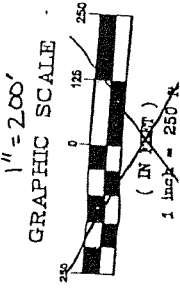


TOTALS

Wetland Area: 3.17 acres
Jurisdictional Wetlands Area: 1.56 acres
Unnamed Tributary Length: 1150 feet
Intermittent Tributary Length: 785 feet

LEGEND

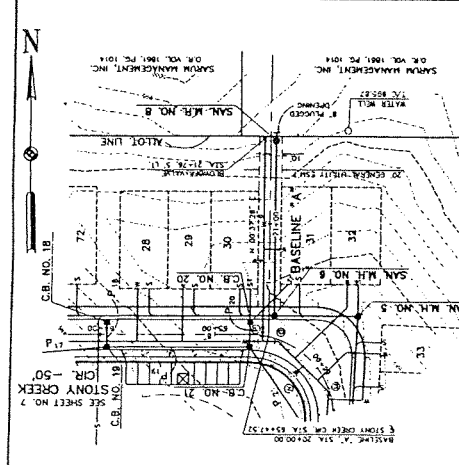
- SWALE
- STREAM
- AREA DELINEATED
- WETLAND BOUNDARY
- ⑥ PHOTOGRAPH LOCATION
- SP1 SAMPLE POINT



THE WETLAND DELINEATION SHOWN IS NOT OFFICIAL UNTIL REVIEWED AND APPROVED BY THE CORPS OF ENGINEERS

REVISD BY HAYMMANREE + ASSOCIATES, LTD 12/20/01

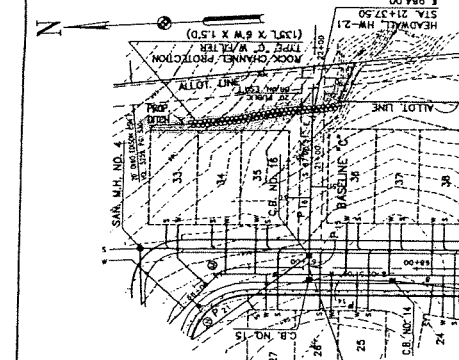
CHAGINVALEY PROJECT: EAST BATH ROAD SITE
ENGINEERING LTD. LOCATION: CHAGINVALEY



BENCHMARK NO. 5:
RAILROAD SPK SET 11 UP W. SIDE 12" ASPEN
ST. 84+00, 155 LT. OF ROCKY CREEK CIR.
ELEV. = 995.77

BENCHMARK NO. 10:
RAILROAD SPK SET 11 UP W. SIDE 12" CROOKED
WILD CHERRY ST. 82+45, 115 LT. OF ROCKY
CREEK COURT.
ELEV. = 995.58

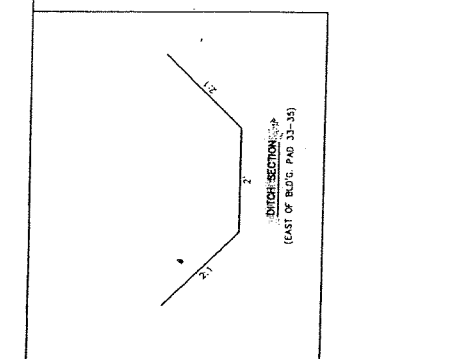
NOTES:
1/10 DENOTES PROP. CURB BOX
1/10 DENOTES TOP OF CURB



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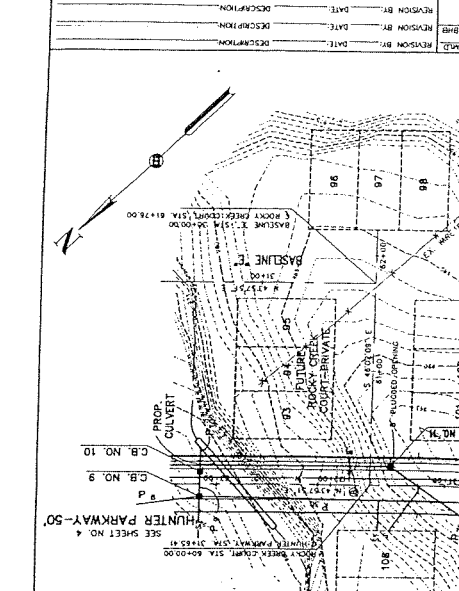
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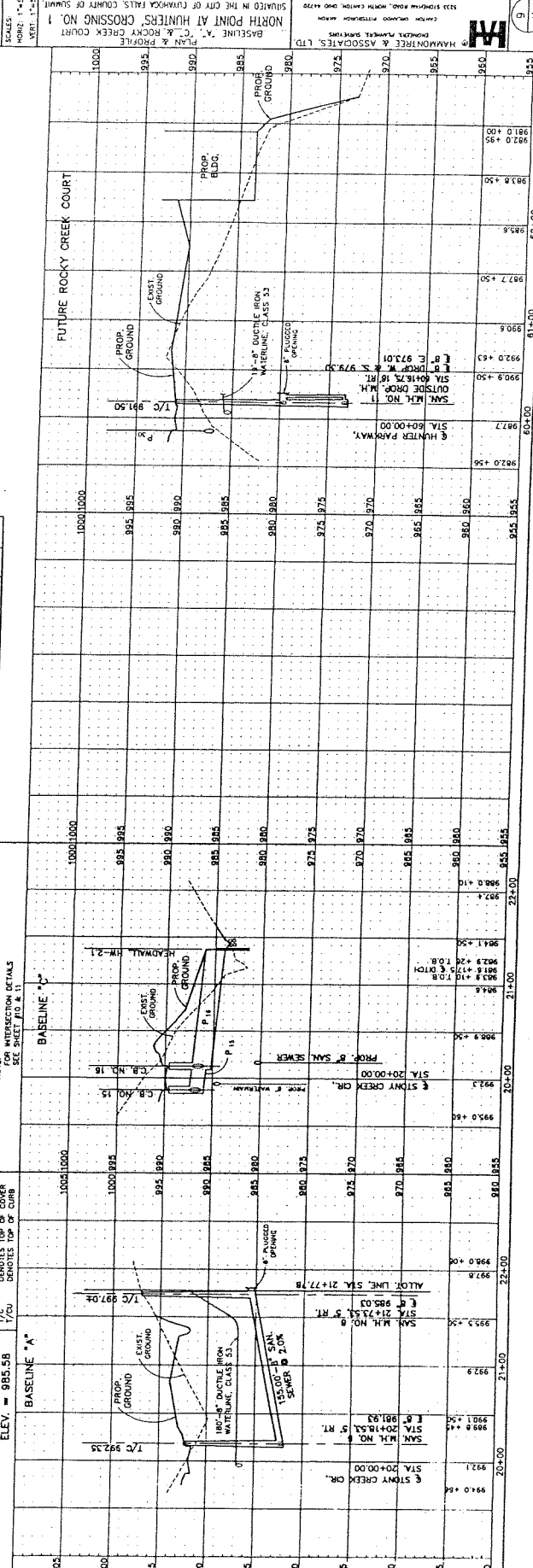
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DESIGN CONSTRUCTION SERVICES, INC.
D/A Processing No. 2002-00059(0)
Summit County, Ohio Quad: PENINSULA
Sheet 5 of 6 CULVERT DETAIL

COCHRAN ROAD - 60'

J.D. AND R.R. KEENEY
M.A. GEISTWEITE
VOL. 6855, PG. 466
P.P.N. 3501157

A.A. GORUP
VOL. 3870, PG. 410
P.P.N. 3500859

A.A. GORUP
VOL. 4677, PG. 403
P.P.N. 3500860

R.P. & M.J. WALKER
VOL. 3870, PG. 410
P.P.N. 3502422

GRACE E. MARCO
REC. NO. 54144550
P.P.N. 3501387

SARUM MANAGEMENT, INC.
O.R. VOL. 1861, PG. 1014
PARCEL TWO (2)
P.P.N. 3900169

SARUM MANAGEMENT, INC.
O.R. VOL. 1861, PG. 1014
PARCEL ONE (1)
P.P.N. 3500168



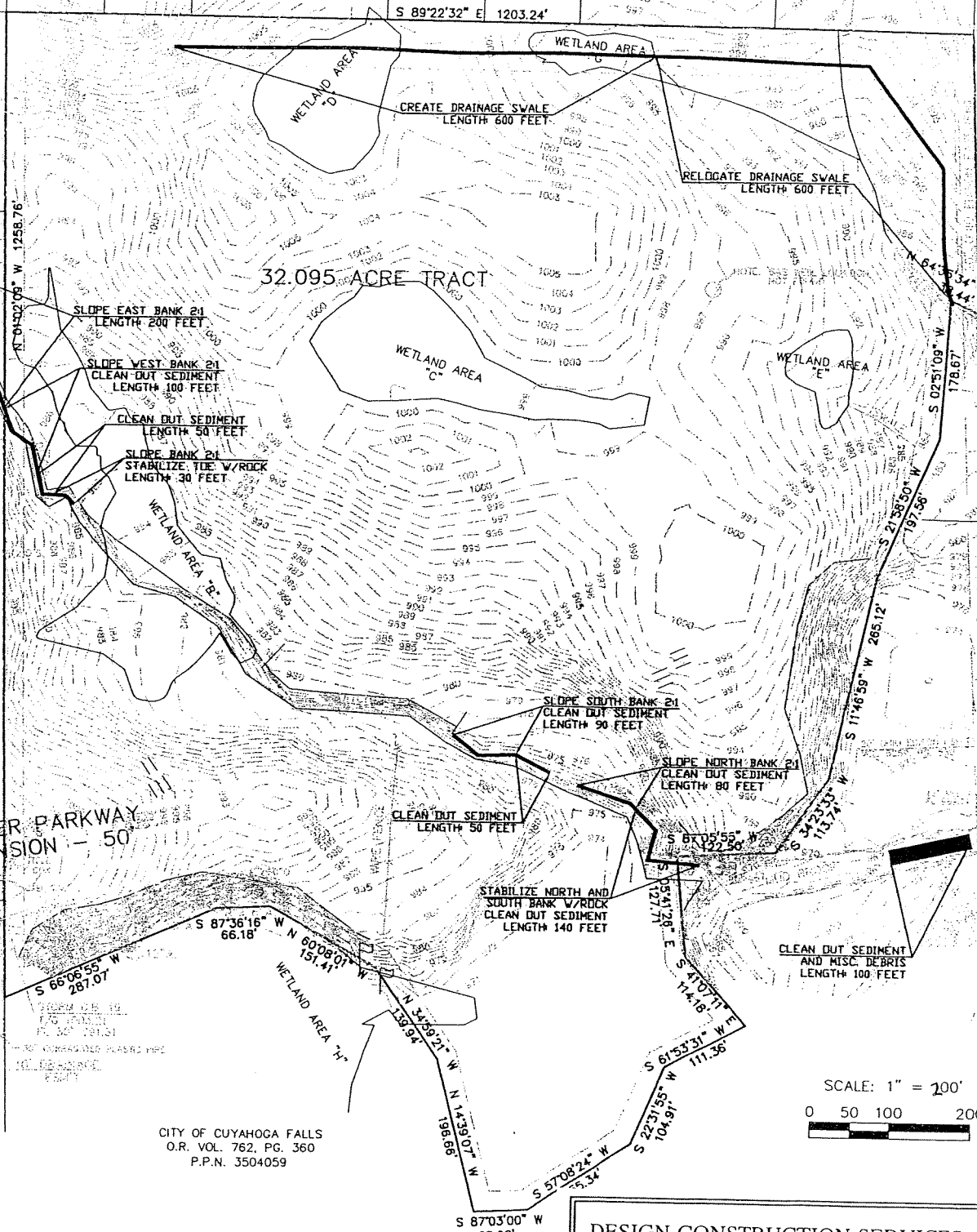
FLM LLC
REC. NO. 54306354
P.P.N. 3501196

THE DALES SUBDIVISION NO. 1
CAB. I, SL 800-804
RE-REC. CAB. I, SL 849-853

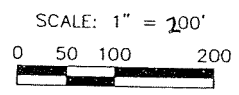
CITY OF CUYAHOGA FALLS
REC. NO. 54385072
P.P.N. 3501540

HUNTER PARKWAY
EXTENSION - 50'

32.095 ACRE TRACT



CITY OF CUYAHOGA FALLS
O.R. VOL. 762, PG. 360
P.P.N. 3504059



STREAM MITIGATION PLAN
NORTH POINT AT HUNTERS' CROSSING
SITUATED IN THE CITY OF CUYAHOGA FALLS, COUNTY OF SUMMIT,
BEING PART OF ORIGINAL LOT 16, FORMERLY
NORTHAMPTON TOWNSHIP.

DESIGN CONSTRUCTION SERVICES, INC.
D/A Processing No. 2002-00059(0)
Summit County, Ohio Quad: PENINSULA
Sheet 6 of 6 STREAM MITIGATION